

Herbert A. Viergutz, Esq.  
Barokas Martin & Tomlinson  
1029 West Third, Suite 280  
Anchorage, AK 99501  
Phone: (907) 276-8010  
Facsimile: (907) 276-5334  
Attorneys for United States Fidelity and Guaranty Company

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH STAR TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING & HANDLING, and NORTH STAR TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING & HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, on its own behalf,

Intervening Plaintiffs,

No. 3:98-cv-9 (TMB)

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY COMPANY; and ROBERT A. LAPORE,

Defendants.

**MOTION FOR EXTENSION OF TIME FOR USF&G'S BAD FAITH COUNSEL TO  
PARTICIPATE IN THE FILING OF THE STATUS REPORT**

COMES NOW bad faith counsel for United States Fidelity & Guaranty Company (USF&G), and herein moves the Court to issue an Order allowing it up to and

including June 13, 2006, in which to participate in or respond to the Status Report, which this Court Ordered by filed on or before June 9, 2006. This Motion is supported by Affidavit of Counsel.

Dated this 1<sup>st</sup> day of June, 2006.

/s Herbert A. Viergutz

---

Barokas Martin & Tomlinson  
1029 West Third, Suite 280  
Anchorage, AK 99501  
Phone: (907) 276-8010  
Facsimile: (907) 276-5334  
[barmar@gci.net](mailto:barmar@gci.net)  
Alaska Bar No. 8506088

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 1<sup>st</sup> day of June, 2006, to:

Michael W. Sewright, Esq.  
Burr, Pease & Kurtz  
810 N Street  
Anchorage, AK 99501

Paul Stockler, Esq.  
1309 West 16<sup>th</sup> Avenue  
Anchorage, AK 99501

Traeger Machetanz, Esq/Tom Krider, Esq.  
Oles Morrison Rinker & Baker, LLP  
745 4th Avenue, Suite 502  
Anchorage, AK 99501-2136

Steven J. Shamburek, Esq.  
Law Office of Steven J. Shamburek  
425 G Street, Suite 630  
Anchorage, AK 99501-5872

/s Herbert A. Viergutz